

Before the
Federal Communications Commission
Washington DC 20554

In the Matter of)	
)	
Fixed Wireless Communications Coalition,)	
Amendment of Sections 101.109 and 101.147)	RM-11417
of the Commission's Rules to Accommodate)	
30 MHz Channels in the 6525-6875 MHz Band)	

**Reply of the
Utilities Telecom Council**

Pursuant to Section 1.405(b) of the Commission's Rules, the Utilities Telecom Council (UTC, the Council) files this reply in support of the Fixed Wireless Communications Coalition's (FWCC) above-captioned Petition for Rulemaking.¹ The Petition requests an amendment to Sections 101.109(c) and 101.147(l) of the Commission's Rules to authorize 30 MHz channels in the 6525-6875 MHz (upper 6 GHz) fixed service band. UTC believes such a rule change will help to maintain the safety and reliability of essential public services, including electricity, gas and water, by enabling many utilities to manage larger amounts of data across their Fixed Service-based control networks.

I. Introduction

UTC is the international trade association for the telecommunications and information technology interests of electric, gas and water utilities and other critical infrastructure industries. Its members include large investor-owned utilities that serve

¹ See Report No. 2852, Consumer & Governmental Affairs Bureau, Reference Information Center, Petitions for Rulemakings Filed (released Feb. 28, 2008). UTC is a member of the FWCC and also supports its Reply Comments in this matter.

millions of customers, as well as relatively small municipal and cooperatively organized utilities that may serve only a few thousand customers. All of its members have one thing in common: they own, operate or manage communications systems that support the safe and effective delivery of essential services to the public at large. For many utilities, that includes private Fixed Service (microwave) links that convey monitoring and control data across long distances, in concert with or as a substitute for internal optical fiber networks.

II. Discussion

Many utilities are licensed for fixed service in the 6 GHz band, some having moved there during mandatory relocation from the 2 GHz frequency band as a result of allocations to the Personal Communications Service. They consider this frequency band extremely important, as it is now among the lowest-frequency spectrum available for their critical microwave uses: as builders and operators of private, internal networks, utilities must seek the best propagation possible at the lowest cost. Thus, utilities are among the licensees with a significant interest in ensuring the most efficient long-term use of this frequency band.

A. "Smart Grids" Are Driving a Need for More Control Data Capacity.

At the same time, the need for data capacity across utility networks is accelerating quickly and is likely to continue to do so for the next ten to twenty years. Utilities – starting with electricity providers, but likely to spread to gas and water service – are in the beginning stages of a revolution that will result in a new generation of infrastructure. So-called "smart grids" will be adaptive, self-healing and intelligent,

enabling more efficient maintenance and control over assets such as substations and pumping stations; the addition of power generated from renewable resources to the electric grid; demand response initiatives to balance the supply and flow of service, and both consumer and utility control over smarter meters, appliances and home and business systems. All of these measures require two-way communications between the utility and its own facilities, among utilities and between the utility and its customers. That means even more reliance by utilities on their internal telecommunications networks, integration of completely new networks into existing systems, and much bigger data “pipes” than utilities are using today.

B. Wider Channels in the Upper 6 GHz Band Can Help to Meet Data Needs.

As spectrum already in use by utilities, the 6 GHz frequency band plays an important role in these developments, and the availability of 30 MHz channels in the upper portion of the band – without the need for a time-consuming waiver process -- would be extremely helpful for utilities with immediate needs for higher-capacity networks. UTC agrees with the FWCC and those commenters noting the unavailability of 30 MHz channels in the lower 6 GHz band due to sharing with satellite interests, and the difficulties inherent in delays caused by a need to obtain a rule waiver to operate at 30 MHz in the upper band.

Some UTC members contacted in this matter noted that they currently are licensed for 10 MHz channels in the upper 6 GHz band. Given capacity needs, they would like to upgrade those facilities to 30 MHz; however, under current rules, this would necessitate seeking 30 MHz channels in the lower 6 GHz band, which increasingly

are not available, or moving to another band completely. Such moves, however, require time and expense beyond relicensing, including changing antennas, feedlines and possibly transceivers. Upgrading to 30 MHz in the upper 6 GHz band would be much simpler and less expensive, a major consideration for utilities, where telecommunications projects fight for scarce capital expense dollars and often are budgeted several years in advance.

UTC members are among 2.1 GHz licensees now being required to relocate again due to the advent of Advanced Wireless Service licensees, and UTC agrees with the American Petroleum Institute (API) that many of those licensees will have to seek accommodation in the 6 GHz band.² UTC also understands API's concern over possible congestion in the upper 6 GHz band should 30 MHz channels be more common. However, in this case, UTC respectfully disagrees with its API colleagues. The increasing need for data capacity in internal telecommunications networks, UTC believes, creates a more pressing demand for a modernized 6 GHz band, especially because it is such an important frequency band for private microwave systems. A coordinated approach to 30 MHz licensing across the band, rather than an increasing number of *ad hoc* waivers, is a better means of achieving the best use of 6 GHz spectrum in the long term. Therefore, UTC supports FWCC's Petition for Rulemaking in this matter.

² Opposition of the American Petroleum Institute, RM-11417, at 3-4.

III. Conclusion

UTC recommends that the FCC issue a docketed Notice of Proposed Rulemaking in this matter, to permit additional comment and to move toward what the Council hopes will be a noncontroversial change in the Fixed Service rules.

Respectfully submitted,

UTILITIES TELECOM COUNCIL

A handwritten signature in black ink, appearing to read "Jill M. Lyon", with a long horizontal flourish extending to the right.

Jill M. Lyon
Vice President and General Counsel
1901 Pennsylvania Ave., NW, Fifth Floor
Washington, DC 20006
202.872.0030

April 30, 2008

Certificate of Service

I, Sara Ray, certify that on the 30th day of April, 2008, a copy of the preceding UTC Reply was mailed via first-class mail to the following:

Vishnu Sahay, Esq.
Harris Stratex Networks, Inc.
6 Brook Run Court
Germantown, MD 20876

James Talbot, Esq.
AT&T Inc.
1120 20th Street NW
Suite 1000
Washington, DC 20036

Mitchell Lazarus, Esq.
Fletcher, Heald & Hildreth, PLC
1300 North 17th St.
11th floor
Arlington, VA 22209

Radio Dynamics Corporation
6701 Democracy Boulevard,
Suite 300
Bethesda, MD 20817

Comsearch
19700 Janelia Farm Boulevard
Ashburn, VA 20147

Jack Richards, Esq.
1001 G Strett NW
Suite 500 West
Washington, DC 20001

/s/
